

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KAREEM JONES,

Petitioner,

-against-

S. CRONIN, Superintendent of Groveland
Correctional Facility,

Respondent.

20-CV-5345 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

Petitioner, currently incarcerated at Groveland Correctional Facility, brings this *pro se* petition for a writ of *habeas corpus* under 28 U.S.C. § 2254, challenging his February 27, 2017 New York County judgment of conviction. The Court grants Petitioner's request to proceed *in forma pauperis* (IFP) for the limited purposes of this order. For the following reasons, the petition is dismissed.

Petitioner has submitted to this Court an identical petition challenging the same conviction. That case is pending before the Honorable Analisa Torres of this Court under docket number 20-CV-5348 (AT). Because this petition is identical, no useful purpose would be served by the litigation of this duplicate petition. This petition is therefore dismissed without prejudice to Petitioner's pending case under docket number 20-CV-5348 (AT).

In light of the Court's belief that Petitioner may have submitted this duplicate petition in error, the Clerk of Court shall not charge Petitioner the \$5.00 filing fee for this action, and the Warden or Superintendent having custody of Petitioner shall not deduct or encumber funds from Petitioner's prison trust account for this lawsuit.

The Clerk of Court is directed to mail a copy of this order to Petitioner and note service on the docket.

Petitioner is granted IFP status under 28 U.S.C. § 1915(a)(1) for the limited purpose of dismissing this petition without prejudice. The petition is dismissed as duplicative.

Because the petition makes no substantial showing of a denial of a constitutional right, a certificate of appealability will not issue. *See* 28 U.S.C. § 2253.

SO ORDERED.

Dated: July 17, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written over a horizontal line.

COLLEEN McMAHON
Chief United States District Judge